

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 21, 2025

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEBORAH L.,¹

Plaintiff,

v.

LELAND DUDEK, Acting
Commissioner of Social Security,²

Defendant.

No. 2:24-cv-00318-EFS

**ORDER GRANTING THE PARTIES'
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C.
§ 405(g)**

The parties agree that the matter should be reversed and remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings. The parties also agree that Plaintiff is entitled to reasonable attorney fees and costs under the Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to the Court.

¹ For privacy reasons, the Court refers to every social security plaintiff by first name and last initial or by "Plaintiff." *See* LCivR 5.2(c).

² Leland Dudek became the Acting Commissioner of Social Security on February 17, 2025. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, he is substituted as the defendant in this suit pursuant to Section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

Consistent with the parties' agreement, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 12**, is
GRANTED.

- This matter is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council is to instruct the ALJ to: offer the claimant the opportunity for a hearing; take any further action needed to complete the administrative record; and issue a new decision.

2. The Clerk's Office shall **TERM** the hearing and Plaintiff's brief, **ECF No. 8**, enter **JUDGMENT** in favor of Plaintiff, and **CLOSE** the case.

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to all counsel.

DATED this 20th day of February 2025.



EDWARD F. SHEA
Senior United States District Judge